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Attorneys for Defendant Stewart Title Guaranty Company

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WALSH SECURITIES, INC.,

Plaintiff,

vs.

CRISTO PROPERTY MANAGEMENT,  
LTD., a/k/a G.J.L. LIMITED, DEK  
HOMES OF NEW JERSEY, INC.,  
OAKWOOD PROPERTIES, INC.,  
NATIONAL HOME FUNDING, INC.,  
CAPITAL ASSETS PROPERTY  
MANAGEMENT & INVESTMENT CO.,  
INC., CAPITAL ASSETS PROPERTY  
MANAGEMENT, L.L.C., WILLIAM  
KANE, GARY GRIESER, ROBERT  
SKOWRENSKI, II, RICHARD  
CALANNI, RICHARD DiBENEDETTO,  
JAMES R. BROWN, THOMAS BRODO,  
ROLAND PIERSON, STANLEY YACKER,  
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RICHARD PEPSNY, ESQ., ANTHONY  
M. CICALESSE, ESQ., LAWRENCE  
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CONSULTING, INC., COMMONWEALTH  
LAND TITLE INSURANCE CO.,  
NATIONS TITLE INSURANCE OF NEW  
YORK, INC., FIDELITY NATIONAL  
TITLE INSURANCE CO. OF NEW  
YORK, COASTAL TITLE AGENCY, and  
STEWART TITLE GUARANTY COMPANY,  
IRENE DiFEO, DONNA PEPSNY and  
WEICHERT REALTORS,

Defendants

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

CV 97-3496 (WGB)

Hon. William G. Bassler

**NOTICE OF MOTION**

Oral Argument Requested

TO: Robert Magnanini, Esq.  
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Attorneys for Plaintiff

- and -

Attached Counsel List

**PLEASE TAKE NOTICE** that on Monday, July 11, 2005, at 9:00 a.m., or as soon thereafter as counsel may be heard, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, A Professional Corporation, attorneys for defendant, Stewart Guaranty Company (referred to as "Stewart"), shall move before the Honorable William G. Bassler, U.S.D.J., in the United States District Court for the District of New Jersey, M. L. King, Jr. Federal Building & Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order pursuant to Fed. R. Civ. P. 12(b) dismissing the Third Amended Complaint as to Stewart.

**PLEASE TAKE FURTHER NOTICE** that a copy of the proposed Order is included with this Notice.

**PLEASE TAKE FURTHER NOTICE** that, in support of the Motion, Stewart shall rely on the accompanying Memorandum of Law, and all other pleadings and memoranda on file in this matter.

**PLEASE TAKE FURTHER NOTICE** that no trial is presently scheduled in this matter.

**PLEASE TAKE FURTHER NOTICE** that Stewart requests oral argument in the event this Motion is contested.

Dated: March 28, 2005  
Newark, New Jersey

By: s/ Frederick W. Alworth (FA-6977)  
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WALSH SECURITIES V. CRISTO MANAGEMENT LTD.  
Civil Action CV 97-3496 (WGB)

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